

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>BUDGET PREPAY, INC., d/b/a BUDGET PHONE,</b>	)	
for designation as an eligible telecommunications	)	Case No. U-16803
carrier pursuant to Section 214(e)(2) of the	)	
Communications Act of 1934, as amended.	)	
_____	)	

At the July 12, 2017 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman  
Hon. Norman J. Saari, Commissioner  
Hon. Rachael A. Eubanks, Commissioner

**ORDER**

On May 25, 2011, Budget PrePay, Inc., d/b/a Budget Phone (Budget PrePay) filed an application for designation as a wireless eligible telecommunications carrier (ETC) for purposes of receiving Lifeline universal service fund support. In the June 26, 2012 order in this docket, the Commission approved the application. Budget PrePay is a wireless ETC that receives universal service fund support for Lifeline only in the state of Michigan.

On May 10, 2017, Budget PrePay filed an application requesting to relinquish its wireless ETC status effective July 5, 2017. On October 27, 2016, Budget PrePay filed a customer transfer completion notice, informing the Commission that it had transferred a number of its wireless Lifeline customers to Boomerang Wireless, LLC, d/b/a enTouch Wireless. In the application,

Budget PrePay states that it currently has fewer than 3,000 wireless Lifeline subscribers in Michigan.

47 USC 214(e)(4) provides as follows:

A State commission...shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier...Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission...shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission...shall establish a time, not to exceed one year after [approval of] such relinquishment under this paragraph, within which such purchase or construction shall be completed.

*See also*, 47 CFR 54.205. Thus, relinquishment shall be granted to a carrier for any area that is served by more than one ETC. The Universal Service Administrative Company has assigned study area code 319034 to Budget PrePay to represent its ETC service area in Michigan.

Attachment A to Budget PrePay's application for relinquishment includes a list of 12 other wireless ETC providers who provide service in Budget PrePay's service area. In addition, Attachment B to the application contains a list of non-rural wire centers (AT&T Michigan, Frontier North Inc., and Frontier Midstates, Inc.) providing landline Lifeline service in Budget PrePay's service area. MCL 484.2316. Based upon the number of additional wireless ETCs providing service throughout Budget PrePay's service area, as well as landline Lifeline providers, the Commission is confident that all customers served by the relinquishing ETC will continue to receive service. The Commission believes that it is unlikely that the purchase or construction of additional facilities will be required to serve any of Budget PrePay's Lifeline customers; however, in accordance with 47 USC 214(e)(4), the Commission sets July 12, 2018, as the deadline for completion of any such purchase or construction.

According to the May 10, 2017 application, within one business day of approval of the application Budget PrePay will notify all current customers in Michigan via text message of Budget PrePay's intent to discontinue service. The Commission establishes a discontinuance date of August 31, 2017. Budget PrePay has included a sample of the text notice in the application. Budget PrePay also states that it will provide written notification by U.S. Mail to all remaining Budget PrePay Lifeline customers in Michigan, and a sample letter is included with the application. The Commission Staff (Staff) has reviewed the text notification and letter, and finds that they adequately inform customers of the pending change (however, the discontinuance date will be modified). The notices inform customers that they will need to contact another Lifeline provider if they wish to continue service, and provide a link to a list of other wireless ETC providers in Michigan. Customers are also provided with a customer assistance number to call for any questions or assistance. The Staff supports Budget PrePay's application to relinquish its wireless ETC designation.

The Commission accepts the relinquishment application of the wireless ETC designation of Budget PrePay effective August 31, 2017. The Commission requires Budget PrePay to provide text message as well as written notices to current Lifeline customers of the final date of service. The notices shall be filed in this docket, along with a notice informing the Commission that the service has officially been discontinued.

THEREFORE, IT IS ORDERED that:

A. The eligible telecommunications carrier designation of Budget Prepay, Inc., d/b/a Budget Phone, is relinquished effective August 31, 2017.

B. Budget Prepay, Inc., d/b/a Budget Phone, shall provide a text message notice to its Michigan Lifeline customers within one business day of the Commission's approval of this order

to inform those customers of the official date of discontinuance. A copy of the text message notice shall be filed in this docket within five business days of it being sent to customers.

C. Budget Prepay, Inc., d/b/a Budget Phone, shall also provide a second notice (written letter) via U.S. Mail to all of its Michigan Lifeline customers no later than 3 weeks before discontinuance of service. A copy of the written notice shall be filed in this docket within five business days of it being sent.

D. Budget Prepay, Inc., d/b/a Budget Phone, shall provide notice in this docket once service has officially been discontinued.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court pursuant to 28 USC 1331. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov) and to the Michigan Department of the Attorney General - Public Service Division at [pungpl@michigan.gov](mailto:pungpl@michigan.gov). In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

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Sally A. Talberg, Chairman

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Norman J. Saari, Commissioner

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Rachael A. Eubanks, Commissioner

By its action of July 12, 2017.

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Kavita Kale, Executive Secretary